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Teeth For the Ethics Act?

All but lost sight of in the flap over the "pilfered" Carter briefing documents is the House legislative inquiry that almost accidentally started the whole ruckus. Michigan Rep. Donald Albosta's subcommittee unearthed the briefing-book caper while investigating whether the 1978 Ethics in Government Act needed strengthening.

If the conduct of Reagan administration officials is any yardstick, the answer is a resounding "yes."

Consider CIA Director William J. Casey. Until recently, Casey had stubbornly refused to put his considerable stock portfolio into a blind trust. He was playing the stock market with success for two years while he was privy to secret intelligence information on world economic trends. He had also invested in a company that's in line for $450 million in subsidies from the publicly funded U.S. Synthetic Fuels Corp.

Casey insists there was no conflict of interest or ethical misbehavior in his stock dealing. Albosta sees a potential danger, though. An amendment to the ethics act may be introduced this summer that would require the directors of the CIA, FBI, National Security Agency and Defense Intelligence Agency to put their stock holdings in a blind trust if they amount to more than $100,000.

My associates John Dillon and Corky Johnson gathered several other examples that illustrate the need for strengthening the law:

- Attorney General William French Smith, the nation's top law enforcement official, failed to disclose a $50,000 severance payment from a firm that he had served as a director. After consulting with the ethics office, Smith returned the $50,000. Albosta proposes to change the law so that Cabinet nominees will have to update their financial disclosure before confirmation hearings.
- Members of the President's Private Sector Survey on Cost Control, headed by industrialist J. Peter Grace, reportedly examined federal agencies that regulate their own companies. The ethics office said members of the commission would voluntarily disqualify themselves in the event of a conflict; Albosta wants to make the disqualification mandatory.
- At the Interior Department, companies that benefited from the department's sales of coal leases were contributors to the Mountain States Legal Foundation, which Secretary James Watt headed before coming to Washington.
- E. S. Savas, former assistant secretary of Housing and Urban Development, used government employees to work on a book he was writing—ironically titled, "Privatizing the Public Sector: How to Shrink Government."
- A special assistant to the president for national security affairs, Thomas Reed, was appointed despite being the subject of criminal investigation for possible illegal stock deals.
- All directors of the U.S. Synthetic Fuels Corp. own stock in companies that have applied to the agency for grants or other subsidies. Though not required to follow the ethics act, the Synfuels Corp. is funded by the taxpayers.

Obviously, no law, however carefully written, can prevent every conceivable breach of ethics if a government official is determined and skillful enough to skirt the rules. But Albosta's committee hopes to make it at least more difficult for government big shots to abuse their public trust.

In general, the committee's proposed amendments would put more teeth in the law by giving the ethics office greater independence and more power to go after high-ranking offenders. The committee also recommended explicit warnings be given to federal appointees on the rules that cover their conduct—depriving them of the alibi that they didn't recognize any ethical problem.